

STATE OF NEVADA
DIVISION OF ENVIRONMENTAL PROTECTION/
U.S. ENVIRONMENTAL PROTECTION AGENCY

SUPERFUND CONSOLIDATED COOPERATIVE AGREEMENT

for

CARSON RIVER MERCURY SUPERFUND SITE, ANACONDA COPPER MINE SITE, AND LEVIATHAN MINE SUPERFUND SITE

NEVADA SFY 2018
July 1, 2017 – June 30, 2018

SUPERFUND CONSOLIDATED COOPERATIVE AGREEMENT WORKPLAN

TASKS/SUBTASKS	REQUIRED OUTPUTS	DUE DATES	ENVIRONMENTAL RESULTS	COMMENTS
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PROJECT NARRATIVE STATEMENT

The Nevada Division of Environmental Protection (NDEP) is submitting the following work plan for activities associated with the Superfund Consolidated Cooperative Agreement (SCCA). The grant-funded activities are conducted in cooperation with the U.S. Environmental Protection Agency (EPA) to maintain a comprehensive program within the Bureau of Corrective Actions (BCA). The program objectives for the contract period include general program maintenance and State of Nevada oversight and specific task management for the Carson River Mercury Superfund Site (CRMS), Anaconda Copper Mine Site (ACMS), and Leviathan Mine Superfund Site (LMS). Specifically, the NDEP, Bureau of Corrective Actions supports Superfund management activities within the CRMS for commercial activities, residential development and other soil disturbance activities that could pose a human health exposure risk to residents within the investigation boundaries of the site. Additionally, NDEP will be reviewing and commenting on the operable unit 2 (OU2) Feasibility Study. For the Anaconda Copper Mine Site activities, the BCA is working in conjunction with the EPA and stakeholders to complete the investigation activities, develop and approve sets of remedial alternatives, and complete other Feasibility Study activities for each of the operable units defined at the site. For the LMS, the BCA is working with the EPA and to assess impacts from the Site on Nevada through reviewing investigative reports, reviewing and commenting on the Remedial Investigation/Feasibility Study documents, reviewing and commenting on sampling plans, attending meetings, and site visits.

INDIRECT COSTS/FRINGE BENEFITS

Indirect costs (IDC) are charged as a percentage of personnel and fringe benefit costs. Indirect costs include the costs of administrative services including accounting and personnel services, legal assistance, administrative program salaries and other administrative functions. For the purpose of this application, the proposed rate of 25.26% has been used. This is the preliminary negotiated rate with the U.S. Department of the Interior, National Business Center.

Fringe benefits are calculated at 34.00% of personnel costs (not including IDC). Derivation of this rate is on file with the NDEP. Fringe benefits include insurance, retirement, health care, workers and unemployment compensation and other personnel-related benefits.

BACKGROUND STATEMENT

NDEP has a mandate to protect human health and environmental quality in the State of Nevada. Where releases of hazardous substances have occurred, NDEP requires investigation and, if necessary, remediation of the site. A number of environmental programs within NDEP and on the federal level conduct investigative and remedial activities of some kind. NDEP has integrated the environmental cleanup programs into one comprehensive corrective action program, which addresses all sites with common investigation and remediation priorities, criteria, and strategies. The BCA was created for this purpose. The BCA combines a portion of the former RCRA Corrective Action Program, the CERCLA funded PA/SI program, the Consultant Certification Program, the State Petroleum Fund, as well as additional State-funded positions in the BCA.

The SCCA grant to the State of Nevada is designed to provide the base technical and administrative infrastructure for State and Federal Corrective Action activities performed by State personnel. The State Corrective Action program supplements the federal program for the investigative, removal, and remedial activities as determined necessary to protect human health and the environment from uncontrolled releases of hazardous substances.

The SCCA grant funding allows the BCA to maintain the existing program that has been established and assist with development, implementation and

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administration of other initiatives that will strengthen the program within the State of Nevada. Without additional funding, the newly proposed initiatives in the work plan cannot be implemented and the program as a whole will stagnate. This work plan will be effective from July 1, 2017 to June 30, 2018. Funds from SFY17 will be expended prior to expenditures from SFY18.

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<u>TASK I: ADMINISTRATION</u>	Develop, refine, implement and manage the Superfund Consolidated Cooperative Grant program by providing necessary support and guidance.		Cooperative agreement will continue to support State involvement in EPA's Superfund program	Task I, administrative activities will be conducted with existing grant funds.
<i>Subtask A:</i> Prepare final SFY2019 Superfund Consolidated Cooperative Grant application and work plan.	Final work plan and application will be sent to EPA by 5/5/2018.	May 5, 2018		Discussions and negotiations during future meetings will be incorporated into the final work plan.
<i>Subtask B:</i> NDEP participates in annual End-of-Year grant program evaluation meetings with EPA.	One meeting. Participation and attendance in an end of the year evaluation sometime between October 2017 and January 2018.	Oct, 2017-Jan, 2018	Discussion during this meeting will evaluate how well plans were executed and how we can improve plans during the next fiscal year.	Evaluation conferences assume availability of staff. Evaluation dates are flexible.
<i>Subtask C:</i> NDEP participates in Quarterly Review program meetings with EPA.	Participation in four quarterly meetings.	Quarterly SFY 2018	Progress and issues to be discussed at quarterly meetings between EPA and NDEP.	Meetings assume availability of staff. Dates are flexible with conference call meetings preferred.
<i>Subtask D:</i> Submit quarterly progress and activity reports.	Four reports. Quarterly progress and activity reports are received within 30 days of end of quarter.	Quarterly SFY 2018	Environmental results documented in quarterly report	EPA provides program and technical response as needed.
<i>Subtask E:</i> Attend and participate in applicable conferences and training as agreed to by EPA Project Officer.	One to two staff members will participate in Superfund-related conferences and training, as necessary, which provide support to the activities being completed in this program.	SFY 2018	Increase our knowledge on Superfund-related issues in other states.	Assumes approval of NDEP travel.
<u>TASK II: CRMS Support Management:</u>				

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Provide NDEP oversight and specific task management with Remedial Response Activities. Assist EPA to continue OU1 LTSRP implementation. Assist EPA with public outreach addressing OU1.				

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<p>Subtask A:</p> <p>Operable Unit 1 (OU-1) property development oversight and durable notification mechanisms:</p> <p>Task A.1: Approval by EPA and NDEP management on the revised residential Long Term Sampling and Response Plan (LTSRP). Negotiation and approval of the Programmatic Agreement with the NV State Historical Preservation Office (SHPO).</p> <p>Task A.2: Continue working with property developers on residential sampling requirements and assist in the development of site characterization plans.</p> <p>Task A.3: Review and approve site characterization plans.</p> <p>Task A.4: Review and assist in the interpretation of Contaminants of Concern (CoC) sampling results.</p> <p>Task A.5: Assist in the development and review of mitigation plans through implementation of the LTSRP.</p>	<p>Develop the Quality Assurance Project Plan (QAPP) template for developers and individual property owners.</p> <p>Residential LTSRP approved by EPA and NDEP management (including QAPP and SAP).</p> <p>Communicate and guide developers to gain a better understanding of the CoC analytical results and environmental covenants attached to parcels. Streamline identification and evaluation process for undeveloped parcels in the CRMS using updated electronic means (e.g. updated webpage with easier accessibility).</p> <p>Resulting CoC data will be incorporated into Area of Investigation maps.</p> <p>Public and Certified Environmental Manager (CEM) outreach, as well as Storey, Carson, Churchill and Lyon County Building Department outreach.</p> <p>Community involvement support from EPA will be requested, if necessary. Quarterly progress reports and activity reports will identify meetings held and attended and topics discussed.</p>	2 nd Qtr	<p>Final LTSRP posted on NDEP website.</p> <p>CRMS boundaries are better defined:</p> <ul style="list-style-type: none"> • Accurate and defensible sampling locations defining the location of CoC impacts. • Attaching environmental covenants to those properties limits exposure to CoC in surface soil. <p>LTSRP provides a better understanding of the requirements from NDEP/EPA with respect to residential development in the CRMS.</p> <p>The LTSRP will become more comprehensive for current activities the CRMS and outline the EPA and NDEP CoC sampling requirements for developers of residential property.</p>	<p>Properties will continue to be screened for CoC. The procedure will be updated in accordance with the LTSRP and potential exposures mitigated accordingly.</p>
<p>Subtask B:</p> <p>Implementation in collaboration with the Storey, Lyon, Carson and Churchill County Building Departments identifying development in the CRMS of new single home construction or other surface disturbance activities - totaling less than one acre.</p>	<p>Implement agreed upon method with Counties for single home development notification and NDEP's mechanism for contacting the landowner.</p> <p>Community involvement support from EPA will be requested when needed. Quarterly progress reports and activity reports will identify meetings held and attended and topics discussed.</p>	Annual	<p>More visibility of the concerns the CoC impacts present to developers and the public.</p> <p>Provide improved public understanding of the CRMS boundary definition.</p>	

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<p>Subtask C:</p> <p>Improve visibility of environmental covenants:</p> <p>Task C.1: Include developments of new single home construction, existing homes, or other surface disturbance totaling less than one acre.</p> <p>Task C.2: Coordinate public outreach efforts at County levels to strengthen visibility and durability of institutional controls.</p> <p>Task C.3: Continue to develop and refine the environmental covenant website to track covenants attached to developed parcels making information more visible and easier to understand for the public and county governments.</p>	<p>Provide guidance for sampling properties purchased before ECs were required and for property owners who purchased property in the CRMS without ECs because of the size of their parcel or subdivision (less than one acre).</p> <p>Provide guidance for concerned homeowners previously aware of their EC and proposing activities that will potentially compromise the integrity of the 2 foot cap (refer to LTSRP).</p> <p>Provide guidance for homeowners subject to the Record of Decision removal action and the filing of Environmental Covenants on their properties.</p> <p>Coordination with the EPA and NDEP RCRA Program to facilitate disposal, and signing waste manifests, of impacted material will be developed.</p> <p>Public and Certified Environmental Manager (CEM) outreach, as well as Storey, Carson, Churchill and Lyon County Building Department outreach.</p> <p>Improve website usability in regards to the above homeowners.</p> <p>Quarterly progress reports and activity reports will identify meetings held and attended and topics</p>	Annual	<p>More visibility of the concerns the CoC impacts present to developers and the public.</p> <p>Obtain environmental covenants from property owners whose property has been impacted by the CRMS.</p>	

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	discussed.			
Subtask D: Continue to refine the Area of Investigation maps for OU-1 as sampling data becomes available with a focus on eminent development.	Periodic CRMS map updates in close coordination with the EPA GIS Center, including use of metadata SOPs. Community involvement support from EPA will be requested, if necessary. Quarterly progress reports and activity reports will identify meetings held and attended and topics discussed.	Annual	CRMS areas of investigation are better defined for local officials and the public.	Presentations to the County Commissioners, public outreach regarding development of the maps and database.

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Subtask E: Assist EPA with Draft Superfund State Contract.	Develop a Superfund State Contract to guide responsibility and implementation of Response activities.	4 th Qtr	A better defined understanding of site remedial responsibilities between the EPA and the State.	
TASK III: CRMS SUPPORT Provide NDEP oversight and specific task management for all management activities in the CRMS boundaries. Review and comment on EPA deliverables as they become available, including the Long Term Sampling and Response Plan for OU-1 and Remedial Investigation /Feasibility Study, Human Health Risk Assessment, Environmental Risk Assessment, and Record of Decision for OU-2. Assist EPA with public outreach.				

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Subtask A: Development of a “Non- Residential” LTSRP and coordination with non-residential interests (including commercial interests) in order to support soil disturbances in the CRMS that the Record of Decision (ROD) does not address.	<p>Final draft of a Non-Residential LTSRP (includes QAP and SAP)</p> <p>Develop and implement reasonable steps that the EPA can agree upon in support of non-residential soil disturbances in the CRMS and the provisions in the LTSRP. Coordinate with and advise non-residential interests regarding sampling, evaluating and mitigating threats.</p> <p>General public, CEM, Storey, Carson, Churchill and Lyon County Managers, City of Fallon, Irrigation Districts, USFW, BLM, State Parks, and all other affected-parties outreach.</p> <p>Community involvement support from EPA will be requested, if necessary.</p> <p>Quarterly progress reports and activity reports will identify meetings held and attended and topics discussed.</p>	2 nd Qtr	<p>The Non-Residential LTSRP will establish the NDEP and EPA sampling requirements and goals with respect to non-residential soil disturbances and consequent soil management in the CRMS.</p> <p>Properties will be sampled for CoC and potential exposures will be mitigated.</p>	

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Subtask B: Participate in research and priorities for OU-2 as necessary. EPA Remedial Project Manager (RPM) will coordinate efforts with NDEP.	Review and comment on EPA Remedial Investigation/Feasibility Study (RI/FS), Human Health Risk Assessment, Ecological Risk Assessment, and the Record of Decision (ROD) documents and deliverables. Meetings with EPA representatives in Carson City. Quarterly progress reports and activity reports will identify meetings held and attended and topics discussed.	Annual	Completion of the RI/FS, HHRA, ERA, and ROD.	NDEP is in a support role for OU-2. Attend meetings, establishing goals to allow management decisions.
Subtask C: Participate in public meetings with EPA and stakeholders that require NDEP involvement. Attend other stakeholder meetings as needed. Assist with public information development and dissemination.	Quarterly reports will identify meetings held and attended and general topics discussed, and other outreach-related activities conducted.	Ongoing	Facilitate meetings that help focus on prioritized risks.	Develop and foster a more collaborative approach to effective site-wide discussions.
Subtask D: Continue visibility of the health advisory signs concerning high level mercury in fish. Work with EPA and Nevada Department of Wildlife (NDOW) regarding commercial fishing advisories and commercial fishing permits.	Perform yearly maintenance (as required) on current signage. Evaluate need for additional signs. Facilitate meeting between NDEP, NDOW, Nevada Attorney General, and EPA to follow up on discussions about restricting the use of Sacramento Blackfish and Carp to non-human purposes. Develop agreement. .	June 30, 2017	Reduce human exposure to the adverse health effects of mercury consumption.	

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<u>TASK IV: Anaconda Support:</u> Provide NDEP guidance and input for site-wide management of the Anaconda Mine site.				
<i>Subtask A:</i> Participate in, or lead, site-wide strategy discussions with NDEP management, EPA management and staff, and Responsible Party (RP).	Notes from monthly calls with EPA RPMs and RP PMs will be provided. Quarterly reports will identify broad goals, objectives and accomplishments. Comments will be provided to EPA RPMs, RP PMs and others.	Ongoing and Quarterly	Promote efficient and site-wide management to create timely remedial actions and closure.	Focus is to provide consistent site-wide closure strategy guidance and input, and foster collaborative efforts.
<i>Subtask B:</i> Develop and manage specific site-wide strategy goals and objectives, and identify and manage specific OU milestones and target dates.	Milestones/deliverables/target dates table will be updated as needed. Quarterly reports will identify meetings/calls held and attended, and topics discussed, and will list specific accomplishments during quarter, and identify specific milestones for next quarter.	Ongoing and Quarterly	Identify, prioritize, and address critical source areas to limit human health and ecological risk exposure.	Provide certainty and predictability for closure process, and encourage efficiency. Identify opportunities for combining OU closure steps. Work with EPA on specific schedules and deliverables, and hold RP accountable for meeting deliverable deadlines.
<i>Subtask C:</i> Review technical documents (e.g. tech memos, data summary reports, work plans, engineering design plans).	Specific document/plan comments will be provided to EPA, RP, and stakeholders on a timely basis, as needed. Quarterly reports will identify documents reviewed.	Ongoing and Quarterly	A clearer understanding of data needs/data gaps associated with each OU, leading to timely, appropriate, and effective remedial strategies.	
<i>Subtask D:</i> Participate in Technical Working Group (TWG) discussions. Attend or host meetings/calls and provide input.	Notes from meetings and calls will be provided shortly after meetings. Quarterly reports will identify meetings/ calls held and attended, and topics discussed.	Ongoing and Quarterly	A clearer understanding of data needs/data gaps associated with each OU, leading to timely, appropriate and effective remedial strategies.	

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Subtask E: Participate in periodic site visits and inspections of specific OU facilities or ongoing activities, such as data collection, remedial action, and monitoring.	Disseminate findings, summaries and recommendations to stakeholders as needed. Quarterly reports will identify site visits, summarize findings, and list action items for next quarter or longer timeframes.	Ongoing and Quarterly	Identify specific site needs and short-term and longer-term environmental risks that require attention.	Prioritize site issues so that most critical are addressed first.
Subtask F: Task F.1: As the State prepares to take lead of OU-8, finalize OU-8 schedule and initiate contracting. Develop or assist in development of Proposed Plan, ROD and Responsiveness Summary. Task F.2: Phase into potential State lead of OU-3 process area closure under State regulations and guidance. Task F.3: As other OUs move closer to remedial action, take an active role in developing appropriate and timely/phased closure steps. Work with EPA to ensure other OU deliverable schedules are met.	Task 1 –OU-8: Submit OU-8 schedule to EPA and RP for review and comments. Finalize schedule and initiate contract negotiations for planned O&M and closure activities. Task 2 –OU-3: Whether OU-3 proceeds under EPA lead or State lead, ensure that HHRA and RI steps are completed, and that FS activities are also completed. Task 3 –Other OUs: Progress reports on OU-1, OU-4a and OU-7. Quarterly reports will identify actions taken, summarize progress, and list activities for next quarter.	Ongoing and Quarterly	Phased, prioritized closure of HLPs to prevent critical FMS capacity issues and potential releases. Phased closure of other OUs will eliminate or reduce the more critical human health and ecological risk exposures first.	Identify opportunities for phased closure activities that consider the Site as a whole. Ensure that highest priority OUs make significant progress towards remedy implementation.
Subtask G: Participate in public meetings with EPA and stakeholders that require NDEP involvement, including providing presentations. (EPA generally requires quarterly public meetings.) Attend other stakeholder meetings as needed. Assist with public information development and dissemination. Participate in updating CIP.	Quarterly reports will identify meetings held and attended and general topics discussed, and other outreach related activities conducted and materials produced. Comments will be provided to EPA, as needed. NDEP may also participate in public interviews in coordination with EPA.	Quarterly	Facilitate meetings and provide information that helps focus on prioritized risks and closure planning.	Develop and foster a more collaborative approach to effective site-wide closure strategy discussions.

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<u>TASK V: Leviathan Mine Support:</u> Provide NDEP guidance and input for management of the Leviathan Mine site for areas of remediation affecting areas of Nevada.				
<i>Subtask A:</i> Participate in site-wide strategy discussions with NDEP management, EPA management and staff, and Responsible Party (RP).	Quarterly reports will identify broad goals, objectives and accomplishments.	Quarterly	Promote efficient and site-wide management to create timely remedial actions and closure.	
<i>Subtask B:</i> Review technical documents (e.g. tech memos, data summary reports, work plans, engineering design plans).	Specific document/plan comments will be provided to EPA, RP, and stakeholders on a timely basis, as needed. Quarterly reports will identify documents reviewed.	Ongoing and Quarterly	A clearer understanding of data needs/data gaps, leading to timely, appropriate, and effective remedial strategies.	
<i>Subtask C:</i> Participate in Technical Working Group (TWG) discussions. Attend meetings/calls and provide input.	Quarterly reports will identify meetings/ calls held and attended, and topics discussed.	Ongoing and Quarterly	A clearer understanding of data needs/data gaps.	
<i>Subtask E:</i> Participate in periodic site visits and inspections of facilities or ongoing activities, such as data collection, remedial action, and monitoring.	Disseminate findings, summaries and recommendations to stakeholders as needed. Quarterly reports will identify site visits, summarize findings, and list action items for next quarter or longer timeframes.	Ongoing and Quarterly	Identify specific site needs and short-term and longer-term environmental risks that require attention.	Prioritize site issues so that most critical are addressed first.